

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**
**Long Island Federal Courthouse
814 Federal Plaza
Central Islip, NY 11722-4451
(631) 712-5730**

BEFORE: ARLENE R. LINDSAY **DATE:** 3/23/2009
United States Magistrate Judge **TIME:** 2:30 pm

DOCKET NO: CV 08-1168 (LDW)

CASE: Cedeno v. Home Mortgage

INITIAL CONFERENCE
 STATUS CONFERENCE BY TELEPHONE
 SETTLEMENT CONFERENCE
 FINAL CONFERENCE ORDER

APPEARANCES: **FOR PLAINTIFF:** **FOR DEFENDANT:**
Erik Langeland Ari Karen
Jon Tostrud

The following rulings were made:

The plaintiff's motion for sanctions for defendants' communication with class members is denied. The court will not bar the defendants and their counsel from contacting past or current employees of Home Mortgage as it finds that the communication which was sent was not in any way coercive as suggested by the plaintiffs. To the extent that plaintiffs' counsel wishes to insure that those contacted were aware of Mr. Karen's and Rosenzweig's status in the action, counsel may address a letter to those employees who may have been contacted advising them that Mr. Rosenzweig and Mr. Karen represent the defendants. The plaintiffs are not permitted to reissue the Notice or in any way suggest that counsel for the defendants contact was improper. Counsel for the plaintiffs shall immediately contact defendants' counsel for the purpose of scheduling the depositions of the plaintiffs and the two affiants. Counsel for the defendant shall indicate in writing that the defendants do not possess documents supporting the counterclaims. The plaintiffs shall provide copies of their W2 and 1099s. Plaintiffs shall not be required to provide their tax returns at this time.

SO ORDERED:

/s/